

FISCAL NOTE

SB 2744 - HB 3129

March 20, 2006

SUMMARY OF BILL: Abolishes statute of limitations for sexual offenses.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$2,234,400 / Incarceration*

Assumptions:

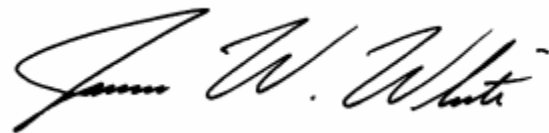
- The Department of Correction (DOC) estimates an increase of five percent of current convictions for sexual offenses under Title 39, Chapter 13, Part 5. According to DOC, the average operating cost per inmate per day for calendar year 2006 is \$50.02.
- According to the U.S. Census Bureau, population growth in Tennessee has averaged 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6% over the past ten years.
- Four additional persons will be convicted of a Class A felony of a sexual offense and will serve 100% of the 20-year sentence. The cost per inmate at 20 years is \$365,396.10 (\$50.02 x 7,305 days). The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is \$182,698.05 (\$50.02 x 3,652.50 days). The total additional operating cost for four offenders in the tenth year is \$730,792.20 (\$182,698.05 x 4).
- One additional person will be convicted of a Class A felony of a sexual offense and will serve 17 years. The maximum cost per inmate at 17 years is \$310,586.69 (\$50.02 x 6,209.25 days). The maximum cost per inmate in the tenth year is \$182,698.05 (\$50.02 x 3,652.50 days).
- Eight persons will be convicted of a Class B felony of a sexual offense in the first year. Population growth of 1.09 percent per year will result in one additional offender in the tenth year as a result of this bill. The maximum cost in the tenth year is based on nine offenders serving 6.8 years (2,483.70 days). The cost per inmate is \$124,234.67 (\$50.02 x 2,483.70 days). The total additional operating cost for nine offenders is \$1,118,112.03 (\$124,234.67 x 9).
- One person will be convicted of a Class B felony of a sexual offense and will serve 2.4 years (876.60 days). The cost per inmate is \$43,847.53 (\$50.02 x 876.60 days).

- Five persons will be convicted of a Class C felony of a sexual offense in the first year. Population growth of 1.09 percent per year will result in one additional offender in the tenth year. The maximum cost in the tenth year is based on six offenders serving 0.9 years (328.73 days). The cost per inmate is \$16,443.07 (\$50.02 x 328.73 days). The total additional operating cost for six offenders is \$98,658.42 (\$16,443.07 x 6).
- One person will be convicted of a Class D felony of a sexual offense and will serve 0.6 years (219.15 days). The cost per inmate is \$10,961.88 (\$50.02 x 219.15 days).
- Eight persons will be convicted of a Class E felony of a sexual offense in the first year. Population growth of 1.09 percent per year will result in one additional offender in the tenth year as a result of this bill. The maximum cost in the tenth year is based on nine offenders serving 0.3 years (109.56 days). The cost per inmate is \$5,480.19 (\$50.02 x 109.56 days). The total additional operating cost for nine offenders is \$49,321.71 (\$5,480.19 x 9).

**Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director